

- C. Reporting Requirements- Annual water quality, hydrology, soils, and vegetation surveys shall be conducted. A report containing these data shall be submitted to Ohio EPA for each of five consecutive years following completion of wetland and stream mitigation construction. The first annual report is due to Ohio EPA by December 31 of the full year following completion of mitigation construction. All subsequent reports shall be submitted by December 31st of each of the five monitoring years.

V. Mitigation Performance Criteria

- A. Streams- Piney Creek South - QHEI > 59
Piney Creek North - QHEI > 59
Unnamed Stream C- QHEI > 45
Unnamed Stream D- QHEI > 66.5
Unnamed Stream E- QHEI > 54.5
Long Run - QHEI > 78
- B. Wetlands- 2.66 acres of category 2 or 3 non-forested wetland.

- VI. Timing of Mitigation - No fill may be placed in the streams or wetlands until the terms of condition I.G. are met.

- VII. Notifications to Ohio EPA - The applicant shall inform Ohio EPA by letter providing the date of completion of the wetland and stream mitigation. The shall reference the following information:
American Energy Corp
Century Mine Project
Ohio EPA ID# 020724

- VIII. Third-Year Site Review - The applicant shall arrange an on-site mitigation meeting with Ohio EPA during the growing season after the third year report has been submitted. The purpose of this inspection is to determine if the mitigation project has been constructed in accordance with the agreement between the applicant and Ohio EPA.

- IX. Contingency Plans - If the wetland mitigation site is not performing as proposed by the end of the fifth year of post construction monitoring, the monitoring period may be extended and or the applicant may be required to revise the existing mitigation site or seek out new or additional wetland mitigation areas. The contingency plan supplied by the applicant is approved, except for the proposed use of riprap to stabilize bank erosion.